

City of Bryan, Texas Planning and Zoning Commission



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Bylaws

Effective March 1963
with amendments through August 15, 2013

ARTICLE 1- AUTHORITY

The Planning and Zoning Commission shall be constituted, have the powers and duties, and conduct all activities in accordance with Chapters 211 and 212 of the Texas Local Government Code, the City Charter, Chapter 2, Division 13, of the City of Bryan's Code of Ordinances, and these adopted bylaws.

ARTICLE 2- PURPOSE AND FUNCTION

The duties and functions of the Planning and Zoning Commission are set forth in Chapter 2, Article III, Division 13, Section 2-~~371227~~, Purpose, Duties and Functions, of the City of Bryan Code of Ordinances.

ARTICLE 3 - PLANNING AND ZONING COMMISSION ACTIVITY YEAR

The activity year for the Planning and Zoning Commission and the terms of membership shall be from January 1 - December 31.

ARTICLE 4 - MEETINGS

A. Regular and workshop meetings of the Commission shall generally be held on the first and third Thursday of each month at the time and location as posted in the public notice. The Commission shall adopt a regular meeting date schedule for each activity year.

B. Special meetings or workshops of the Commission may be called by the Chairperson or upon request to the Chairperson.

C. The Department of Planning and Development Services shall post the agendas for all regular, special and workshop meetings of the Planning and Zoning Commission in accordance with the procedure outlined in the Texas Open Meetings Act.

D. Each member shall be sent a written notice of the regular and workshop meetings which shall include an agenda listing all matters to be considered by the Commission. Notices of the regular and workshop meetings shall be ~~mailed~~ delivered to each member sufficiently in advance of each meeting to ensure determination of the presence of a quorum of the Commission's members and to

permit study of the agenda by the members of the Commission. Notices may be delivered via hand delivery or electronic transmission.

E. A Planning and Zoning Commission meetings may be cancelled if not needed by the Director of Planning and Development Services or his/her designee. All members of the Commission ~~will~~shall be notified of the cancellation.

ARTICLE 5 - COMMISSION MEMBERSHIP

A. Planning and Zoning Commission member terms shall be in accordance with Chapter 2, Article III, Division 13, Section 2-~~370226~~, Organization, of the City of Bryan Code of Ordinances.

B. ~~Any Commission member who It is the policy if the City Council to replace any Board or Commission member appointed by the City Council if such appointee fails to attend at least two-thirds of the regular meetings of the Board or Commission for which that person was appointed during for any six-month period shall be replaced by the City Council during which the appointee is a member of the Board of Commission.~~

C. The Director of Planning and Development Services or his/her designee shall be responsible for maintaining a record of attendance and reporting such information periodically to the City Manager. If a ~~member~~membern appointee fails to attend as required, the City Manager shall advise the City Council who will appoint a new person to such position.

ARTICLE 6 - ELECTION OF OFFICERS

A. At their first regular meeting of ~~January~~ each activity year, the Planning and Zoning Commission shall:

1. Install new members as appointed by the City Council;
2. Nominate and elect a parliamentarian, ~~V~~ice-~~C~~hairperson and Chairperson.

B. Nomination for elective officers of the Commission may be made by any member or members at the call of the ~~presiding~~ Chairperson. The election of new officers shall be by acclamation. ~~unless an election by ballot is requested by any~~

~~member of the Commission. Upon such request, the Chairperson shall order an election by ballot, appoint a teller to distribute ballots, collect and tabulate them and announce the results of the election.~~ A simple majority of the votes cast will determine the elected officer.

C. A member may serve only one (1) year as Chairperson during his/her first three-year term on the Commission, beginning with the second year of his/her appointment to the Commission and during any one (1) year as Chairperson during his/her second three-year term on the Commission, so long as the terms as Chairperson are in non-consecutive years.

ARTICLE 7 - DUTIES AND RESPONSIBILITIES OF OFFICERS

A. The Chairperson shall:

1. preside over the meetings of the Commission;
2. appoint committees;
3. sign all documents of the Commission; and
4. see that all actions of the Commission are properly taken.

B. The Vice-Chairperson shall:

1. in the absence, disability, or disqualification of the Chairperson, exercise or perform all the duties and be subject to all the responsibilities of the Chairperson;
2. have the power granted the Chair in the conduct of the Commission's affairs in the Chair's absence.

C. The Parliamentarian shall:

1. give advice on parliamentary rules or procedures to the Chairperson or other members upon request;
2. call to the attention of the Chair any errors in procedure.

D. Any vacancy in the office of Chairperson, Vice-Chairperson, or Parliamentarian ~~will~~ shall be filled at the next regular or special meeting after a vacancy has been determined.

E. The Department of Planning and Development Services shall act as staff to the Planning and Zoning Commission. The department shall receive and process all subdivision plats, petitions, requests, publications, and documentary distribution over which the Commission shall have jurisdiction.

F. The Director of Planning and Development Services or his/her designee shall serve as secretary to the Planning and Zoning Commission and see that the minutes are properly recorded, maintained, and conveyed to the City Secretary.

G. The Director of Planning and Development Services or his/her designee shall meet and work with the Commission and shall assist in gathering data, preparing plans and elements thereof and in the execution of the Commission's functions and see that all necessary documents are transmitted to the Chairperson or to the appropriate committee.

ARTICLE 8 - COMMITTEES

A. The Chairperson shall designate standing or ad hoc committees and their charges as deemed necessary to address and manage Planning and Zoning Commission responsibilities and activities as referred to in Chapter 2, Article III, Division 13, Section 2-~~371227~~, Purpose, Duties and Functions, of the City of Bryan Code of Ordinances.

B. The Department of Planning and Development Services shall post the agendas for all committee meetings of the Planning and Zoning Commission in accordance with the procedure outlined in the Texas Open Meetings Act.

C. It shall be the duty of each committee to review, investigate and report on all matters submitted to them by the Chairperson. In the discharge of all duties involving specific provisions and requirements of state statutes and/or City ordinances, the particular Committee involved shall perform in strict accordance with the provisions of such ~~s~~Statutes and ~~o~~Ordinances.

ARTICLE 9 - OFFICES OF THE PLANNING AND ZONING COMMISSION

A. The offices and headquarters of the Planning and Zoning Commission shall be in the office of the Director of Planning and Development Services or his/her designee in such City of Bryan public building and in such space assigned to it.

B. All maps, plats, and other materials required by law are to be filed in the office of the Planning and Development Services Department for processing prior to consideration by the Commission.

C. Deadline for the submittal of applications and supporting documents for placement on the agenda shall be established by the Director of Planning and Development Services or his/her designee.

ARTICLE 10 - ORDER OF BUSINESS

A. The order of business conducted in regular meetings of the Planning and Zoning Commission shall be as follows:

1. Call to Order
2. Citizens to be Heard
3. Recognition of Affidavits for Conflict-of-Interest
4. Consent Agenda
5. Regular Agenda
6. Adjournment

ARTICLE 11 - RULES OF ORDER

A. Quorum

1. A quorum at any regular, special or Committee meeting shall consist of a majority of all serving members of the Commission or Committee.

B. Voting

1. In the conduct of its affairs in regular and special meetings of the Commission involving official action of the Commission, every member of the Commission, including the Chairperson, Vice-Chairperson, and Parliamentarian shall vote, unless abstaining from voting due to a conflict of interest.
2. Any member of the Planning and Zoning Commission who feels he or she

has a conflict of interest shall file an affidavit of abstention on any matter and shall refrain from discussion and voting on said items.

3. Any vote less than a unanimous vote shall be recorded such that the vote of each Commissioner is identified. In the event of an abstention, the abstaining member shall be reflected in the minutes.
4. In the event of an abstention, the reason for said abstention shall be specified and made part of the minutes.
5. Any action taken by a majority of all Commission members (5 or more) shall constitute an official action of the Planning and Zoning Commission. The exception to this rule shall be the consideration of master plans, final plats, replats and recommendations required by City of Bryan Code of Ordinances to be made to the City Council for the final action by the City Council, where a majority vote of members of the Commission present and voting shall be sufficient to constitute an official action in making a recommendation to the City Council. In the event of a tie vote, the vote shall be considered an official action not recommending nor approving the action requested by an applicant.
6. The failure of an applicant to gain a majority vote (5 or more) of the members of the Commission in favor of granting a variance from standards of the Land and Site Development Ordinance or an exception from design standards of the Subdivision Ordinance, or a conditional use permit shall constitute an official action of the Commission denying the request.

ARTICLE 12 - CHANGES IN BYLAWS

- A. These bylaws may be amended at any regular or special meeting by a majority (5 or more) of the entire membership of the Commission.
- B. Roberts Rules of Order shall control the conduct of all meetings of the Planning and Zoning Commission, except as modified by these bylaws.

ARTICLE 13 - FILING OF BYLAWS

- A. These bylaws, and any subsequent amendments, upon approval, shall become part of the public record of the Planning and Zoning Commission meeting at which they are adopted.

Adopted on the 15th day of August, 2013 at a regular meeting of the Planning and Zoning Commission of the City of Bryan, Texas by a majority of the entire membership of the Commission.

Michael Beckendorf, Chairperson
Planning and Zoning Commission
of the City of Bryan, Texas

ATTEST:

Martin Zimmermann, AICP, Planning Administrator
and Secretary to the Planning and Zoning
Commission